

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION**

**FABRICE SITAN**

**VS.**

**EPIC DIVING & MARINE SERVICES, L.L.C.**

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**CIVIL ACTION NO.: \_\_\_\_\_**

**ADMIRALTY 9(h)**

**PLAINTIFF'S ORIGINAL COMPLAINT**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, FABRICE SITAN, hereinafter referred to as Plaintiff, complaining of EPIC DIVING & MARINE SERVICES, L.L.C. hereinafter referred to as Defendant and for cause of action would respectfully show the Honorable Court as follows:

I.

Plaintiff, Fabrice Sitan is a resident of Harris County, Texas.

II.

Defendant, EPIC DIVING & MARINE SERVICES, L.L.C. is a for-profit corporation with offices in the Southern District of Texas and doing business in the State of Texas. It may be served with process by serving it registered agent CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201-3136.

III.

Jurisdiction in this case is founded on the Jones Act, 46 U.S.C. §688, Title 29 U.S.C. §1333 and the general maritime law.

IV.

On or about March 30, 2014, Plaintiff was employed aboard the M/V EPIC EXPLORER owned and operated by Defendant. Plaintiff suffered injuries to his spine and body generally

when a vessel Mate unexpectedly cut a rope attached to a cable which resulted in tension on the cable that caused Plaintiff to fall onto the deck. Plaintiff's injury was a proximate result of the negligence of Defendant, its agents, servants and/or employees. Additionally, Plaintiff's injuries were the proximate result of an unseaworthy condition of the vessel and its appurtenances, which were owned and operated by Defendant, its agents, servants and/or employees.

V.

As a result of the incident, Plaintiff sustained injuries and damages. Specifically, Plaintiff suffered the damages: physical pain and mental anguish in the past and future; past loss of earnings; loss of earning capacity; loss of ability to perform household services; medical bills in the past; medical bills in the past. By reason of the foregoing, Plaintiff would show that he is entitled to judgment in a sum in excess of the minimum jurisdictional requirements of the Court for the above-elements of damages.

VI.


Plaintiff is a Seaman injured while working in the service of Defendant's vessel. Plaintiff would show that he is entitled to Maintenance & Cure benefits under general maritime law as well as attorney's fees in connection with obtaining those benefits which Defendant has the duty to pay but failed to pay.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that the Defendant be duly cited in terms of law to appear and answer herein, and that upon final trial hereof, Plaintiff have judgment, against said Defendant for the full amount of his damages in a sum in excess of the minimum jurisdictional limits of the Court, with prejudgment and post-judgment interest, cost of court, attorney's fees related to Plaintiff's Maintenance & Cure claim, and for such other relief to which Plaintiff is entitled at law or equity.

Respectfully submitted,

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